



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Ramanujan KASHI

Serial No.: 10/697,468

Filed: October 30, 2003

For: Automatic Detection and Dialing of Phone
Numbers on Web Pages

Examiner: Debrow, James J.

Group Art: 2176

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Commissioner for Patents

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PRE-APPEAL BRIEF REQUEST FOR REVIEW

SIR:

Claims 1-41 are pending herein, claims 1, 11, 22, 28, 30, 33, 38, 39, 40 and 41 being independent.

The Examiner finally rejected the claims as either anticipated by United States Patent No. 6,870,828 (Giordano); or obvious over Giordano in view of United States Patent No. 5,946,647 (Miller), either alone or in view of several other patents (each cited for minor features of the dependent claims). Only Giordano and Miller shall be discussed herein.

In its more basic form, the invention is directed to a method for allowing a user to take some action (*e.g.*, dialing a telephone number on a web page), directly from information entered in an electronically-displayed computer document without the need for the user to open a separate program, *i.e.*, a program different than the program used to display the page or document on the computer screen. This feature is found in each independent claim, each of

which is reproduced in the Response dated January 17, 2007 (pp. 7-11) with the relevant features highlighted in bold. See, *e.g.*, claim 1, line 4: "loading the markup language document into a browser. . .".

Additionally, in one embodiment of the invention (claims 10-27 and 36-39), the electronically-displayed document is a Document Object Model (DOM) of a HTML/XML document, such as a web page, and the method performs the recognition of the type of data such as a telephone number in "real time", *i.e.*, without a denigration of the response of the underlying system to the input of the document. In this fashion, the transparency of the method to the user is enhanced, and the user's efficiency of using the data (*e.g.*, a phone number) from the document will not be degraded by requiring the user to open a second user interface to benefit from the improved functionality of the native browser. The native browser may therefore offer this added functionality without having to change the document perceptibly. These relevant features of independent claims 11, 22, 38 and 39 can be found with reference to the claims reproduced in the July 27, 2006 Amendment as: claim 11 lines 5, 9-12; claim 22 lines 3-7; claim 38 lines 4, 6-8; and claim 39 lines 7-8.

Giordano is directed to a method and apparatus for iconifying and automatically dialing telephone numbers in a web page. Giordano teaches searching the text in a displayed web page or other type of HTML document for "telephone numbers having a standard format" (col. 2, lines 17-21). Once found, these telephone numbers are "iconified" to permit automatic dialing (col. 2, lines 60-63), and then displayed on a device which does not run on or from the browser displaying the web page and, therefore, requires use of a simultaneously-running program distinct from the browser. (col. 3, lines 27-29). ("The files are sent to the user's Internet-capable telephone and the Web page is displayed on the telephone's screen."). The simultaneously-running program also generates a *second* electronic document containing the iconified telephone

number, rather than changing the manner in which the telephone number is displayed in the *original* document displayed by the browser. No provision is made for the Giordano method to be transparent to the user by operating a known user interface within a different simultaneously-running program. Giordano teaches that the method must operate *separate* from existing interfaces, and apart from standard browsers.

In the Final Office Action, the Examiner explained his continued reliance on Giordano by stating that the original HTML document in Giordano “is converted before it is transmitted and displayed on a specific device screen. Therefore, the program only generates a single document with the highlighting.” (page 35 of the Final Rejection). The flaw in the Examiner’s analysis is that Giordano requires *conversion* of the *original* document before it is displayed, thus transforming the original document into a *new* document. According to Giordano it is necessary to *change* the original document into another document which is capable of being read by the receiving device. This is contrary to the present claims which simply add functionality to an *existing* document (*e.g.*, a web page) that is otherwise capable of being displayed via a user’s web browser.

Therefore, one difference between the present invention and Giordano is that the claimed method is transparent to the user and operates on the user’s existing browser, rather than in contrast to Giordano which requires use of a completely different program to render the highlighted document. Even if an HTML document is converted by the teaching of Giordano into another HTML document containing the highlighted phone numbers, such conversion results in a delay that is perceivable by the user.

Furthermore, it is contemplated by every teaching in Giordano that the converted document will be received by a program other than the user’s native browser, and so the document will be viewed in a *different* application than the one that would otherwise display the

document. Even if the new application is capable of viewing an HTML document, it is still a different application, and so the use of Giordano is not transparent to the user.

The addition of the Miller patent overcomes none of the deficiencies of Giordano. Miller teaches performing an action on data generated by a computer through a program 167. Miller describes the use of a *separate* program 165 to parse the data from program 167. Program 165 operates apart from the native application 167 used to create the data structure. (col. 3, lines 38-44). (“The program 165 of the present invention is stored in RAM 170 and causes CPU 120 to identify structures in the data presented by application 167 ...”). Miller may also generate a new document for the display.

Thus, both Giordano and Miller agree that operation of methods that automatically dial phone numbers appearing in a displayed web page *must* only be performed in interfaces which operate *outside* of the native web browser and which require generating new documents with highlighting therein. To use these methods, a user would have to implement a program, having a different user interface, which is separate and apart from the web browser. See, Fig. 2 of Miller which shows program 165 using a separate user interface 240 to operate on the incoming document 210. The user interface is also shown in Fig. 7 as a separate interface from that of the user’s native browser.

See, also, col. 6, lines 2-3, of Miller which describes the method as requiring that the “new presentation regions from application 167 are again retrieved 830”, indicating that the displayed document is in an environment different from that in which the original application 167 operates.

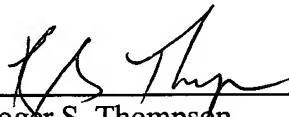
In contrast, the claimed method identifies the desired type of data (*e.g.*, telephone numbers) in a web page *while the page is being viewed through the user’s browser*, and highlights the telephone number right then and there. The user does not have to interrupt his/her

browsing to save or dial the number, and can continue on with barely a pause in browsing, let alone leaving the browser and opening a new program altogether. The use of the consistent user interface with which the user is already familiar makes the process completely transparent to the user. This is a significant advance over the prior art as represented by *both* Giordano and Miller.

Additionally, neither Giordano nor Miller teach or suggest the operation of the methods thereof on a DOM as claimed with respect to the mentioned alternative embodiments of the invention, as described above (claims 12-15, 23-25 and 36-39).

The addition of the other references applied by the Examiner overcome none of the deficiencies of the primary combination, taken in any other permutation, and so fail to render obvious the invention as claimed. For all these reasons, therefore, it is respectfully submitted that the invention as claimed is patentably distinct from the references applied by the Examiner. Accordingly, early and favorable action on the instant application is respectfully solicited.

Respectfully submitted,
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